



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

MINUTES City Council Business Meeting Council Chambers, 38 Hawley Street, Binghamton, N.Y. Wednesday May 21, 2014

CALL TO ORDER

Called to order by City Council President Rennia at 6:30pm.

PLEDGE OF ALLEGIANCE

City Council President Rennia led the Pledge of Allegiance.

ROLL CALL

Present: Jerry Motsavage, Joseph Mihalko, Teri Rennia, Lea Webb, Chris Papastrat, John Matzo, Bill Berg

Absent: None

Also in attendance: Angela Holmes, City Clerk; Allison Sosa, 2nd Assistant Corporation Counsel

REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Motion to approve the minutes from the Business Meeting held on Wednesday May 7, 2014, from the Joint Sessions held with the Planning Commission on Monday May 12, 2014 and Wednesday May 14, 2014, and from the Joint Work Session held with the Village of Johnson City Board of Trustees on Monday May 19, 2014.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

RECOGNITIONS AND ACKNOWLEDGEMENTS

Councilwoman Webb read two proclamations into the record, entitled "A Proclamation in honor of Barbara Harris Oldwine" and "A Proclamation in honor of Jane Suk Stuart-Andrus".

Councilman Berg read "A Proclamation in honor of Officer Katie Brown" into the record.

SET PUBLIC HEARING

The City of Binghamton will hold a second public hearing regarding "An Ordinance adopting a Comprehensive Plan for the City of Binghamton" on Wednesday June 18, 2014 at 6:30pm. This public hearing will take place during regularly scheduled City Council Business Meeting, and will be held in the City Council Chambers. City Council anticipates voting upon this legislation at the Business Meeting held on Wednesday July 9, 2014.

PUBLIC COMMENT/COMMUNICATION

Dean Pease, Gus Kerjilian¹, Ed Hickey, Petition², John Darrow³

¹Motion to suspend the rules to allow Gus Kerjilian, a resident of Vestal, NY, to speak during public comment.

Moved by Webb, seconded by Papastrat.

Voice vote, none opposed.



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²Note: Ed Hickey submitted a petition signed by 204 City of Binghamton residents for inclusion in the record. A copy of the original petition is attached to these minutes.

We the undersigned, being fully support The Belmar Pub in it's efforts to support Music & Arts in it's beautiful backyard setting. Outdoor activities, especially in the summer time, are some of the joys of living in Binghamton. Please don't start taking them away. Please allow them to continue having live music, it's one of the reasons we live in the City.

³Note: John Darrow submitted the following email to the City Clerk's Office on May 21, 2014. A copy of the original email is attached to these minutes.

To whom it may concern,

All the supports of the bar did not live in the neighborhood or more importantly on the block! You received a petition with 34 signatures from the residents not in favor of the increase in sound or # of events! I own a commercial property, 9 Asbury Ct. A bed & breakfast & pay commercial taxes on my property. Twice last year I had to refund in full my guest's fee's for inappropriate noise, coming from the Belmar bar. It interfered with our business and our livelihood! We offer a unique environment & charge a lot for the experience, the belmar's outside activities # 700 + - people adversely effects us! I invite all the council members to walk our neighborhood, look at the bar & realize that it's stage is less than 100 feet from 6 of our homes! How would you like it in your backyard?

I respectfully request you to vote no to the bars motion before council. John C. Darrow 9 Asbury Ct. Bing. N.Y. 13905.

SECOND READING LEGISLATION

Introductory Resolution 14-25. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution authorizing a noise variance for the Belmar Pub

Note: A public hearing held on Wednesday April 23, 2014. First reading legislation occurred at the Business Meeting held on Wednesday May 7, 2014.

1. Point of Order. Council President Rennia noted for the record that should City Council choose to amend the legislation to reflect Mr. Hickey's revised permit application, such amendment would not require a second public hearing.
2. Motion to approve legislation.
Moved by Motsavage, seconded by Webb.
3. Motion to amend the legislation to reflect the amended permit application submitted by Mr. Hickey, with language to be determinate by Corporation Counsel, reflecting a change from music events held on both Wednesdays and Saturdays to music events held on either Wednesday or Saturday, plus "floating" days.
Moved by Motsavage, seconded by Webb.

Motion carried. (Vote 7-0)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

4. Motion to approve the legislation as amended.
Moved by Motsavage, seconded by Matzo.

Motion failed. Legislation defeated. (Vote 0-7)



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Ayes: None

Nays: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

FIRST READING LEGISLATION

Introductory Ordinance 14-24. Considered in Finance, Chair: Berg

An Ordinance authorizing Park Outdoor Advertising of New York, Inc. to install billboards at 117 N. Griswold Street
Motion to approve legislation. Moved by Berg, seconded by Matzo.

Note: Councilman Motsavage requested that his name be added to the sponsor list. Councilman Matzo noted for the record that though he works with signs as part of his personal business, he does not work with this particular type of signage, and thus would not abstain from voting upon the legislation.

Motion carried. Legislation adopted as Permanent Ordinance 14-23. (Vote 6-1)

Ayes: Motsavage, Mihalko, Webb, Papastrat, Matzo, Berg

Nays: Rennia

Introductory Ordinance 14-25. Considered in Finance, Chair: Berg

An Ordinance authorizing the transfer of \$7,693 from budget line A1364.54681 (In Rem Taxes) to budget line A1364.54682 (Purchase of Real Property)

Motion to approve legislation. Moved by Berg, seconded by Webb.

Motion carried. Legislation adopted as Permanent Ordinance 14-24. (Vote 7-0)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 14-30. Considered in Planning and Community Development, Chair: Webb

A Resolution authorizing an agreement with Intermedix to provide ambulance billing services for a period of three (3) years

Motion to approve legislation. Moved by Berg, seconded by Webb.

Motion carried. Legislation adopted as Permanent Resolution 14-29. (Vote 7-0)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 14-31. Considered in Finance, Chair: Berg

A Resolution authorizing a professional service agreement with Troy and Banks Inc. for an energy and gross receipt billing audit

Motion to approve legislation. Moved by Berg, seconded by Webb.

Motion carried. Legislation adopted as Permanent Resolution 14-30. (Vote 7-0)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

Introductory Resolution 14-32. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution in support of Global Business Alliance of Greater Binghamton

Motion to approve legislation. Moved by Motsavage, seconded by Webb.

Motion carried. Legislation adopted as Permanent Resolution 14-31. (Vote 7-0)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None



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Introductory Resolution 14-33. Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution in support of the Life is Washable Inc. application to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection fund for a park or trail project
Motion to approve legislation. Moved by Mihalko, seconded by Motsavage.

Motion carried. Legislation adopted as Permanent Resolution 14-32. (Vote 7-0)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

COMMUNICATIONS FROM COUNCIL MEMBERS

Papastrat, Matzo, Berg, Motsavage, Mihalko, Webb, Rennia

ADJOURNMENT

Motion to adjourn at 7:54pm.

Moved by Berg, seconded by Webb.

Voice vote, none opposed.